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Resolution adopted by the Human Rights Council on 28 September 2018

39/12. United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas

The Human Rights Council,

Recalling all relevant Human Rights Council resolutions on the right to food, and recalling in particular Council resolutions 21/19 of 27 September 2012, 26/26 of 27 June 2014, 30/13 of 1 October 2015 and 36/22 of 29 September 2017 on the promotion and protection of the human rights of peasants and other people working in rural areas,

Welcoming with appreciation the constructive negotiations, participation and active engagement in the open-ended intergovernmental working group on a United Nations declaration on the rights of peasants and other people working in rural areas during its five sessions, and welcoming the report on its fifth session,[1]

1. *Adopts* the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, as contained in the annex to the present resolution;

2. *Recommends* that the General Assembly, in accordance with paragraph 5 (c) of its resolution 60/251 of 15 March 2006, adopt the following draft resolution:

"*The General Assembly*,

Welcoming the adoption by the Human Rights Council, through its resolution 39/12 of 28 September 2018, of the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas,

1. *Adopts* the United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas, as contained in the annex to the present resolution;

2. *Invites* Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Declaration and to promote universal respect and understanding thereof."

40th meeting
28 September 2018

[1] A/HRC/39/67.

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[Adopted by a recorded vote of 33 to 3, with 11 abstentions. The voting was as follows:

In favour:

Afghanistan, Angola, Burundi, Chile, China, Côte d'Ivoire, Cuba, Democratic Republic of the Congo, Ecuador, Egypt, Ethiopia, Iraq, Kenya, Kyrgyzstan, Mexico, Mongolia, Nepal, Nigeria, Pakistan, Panama, Peru, Philippines, Qatar, Rwanda, Saudi Arabia, Senegal, South Africa, Switzerland, Togo, Tunisia, Ukraine, United Arab Emirates, Venezuela (Bolivarian Republic of)

Against:

Australia, Hungary, United Kingdom of Great Britain and Northern Ireland

Abstaining:

Belgium, Brazil, Croatia, Georgia, Germany, Iceland, Japan, Republic of Korea, Slovakia, Slovenia, Spain]

Annex

United Nations Declaration on the Rights of Peasants and Other People Working in Rural Areas

The Human Rights Council,

Recalling the principles proclaimed in the Charter of the United Nations, which recognize the inherent dignity and worth and the equal and inalienable rights of all members of the human family as the foundation of freedom, justice and peace in the world,

Taking into account the principles proclaimed in the Universal Declaration of Human Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, relevant conventions of the International Labour Organization and other relevant international instruments that have been adopted at the universal or regional level,

Reaffirming the Declaration on the Right to Development, and that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized,

Reaffirming also the United Nations Declaration on the Rights of Indigenous Peoples,

Reaffirming further that all human rights are universal, indivisible, interrelated, interdependent and mutually reinforcing and must be treated in a fair and equal manner, on the same footing and with the same emphasis, and recalling that the promotion and protection of one category of rights should never exempt States from the promotion and protection of the other rights,

Recognizing the special relationship and interaction between peasants and other people working in rural areas, and the land, water and nature to which they are attached and on which they depend for their livelihood,

Recognizing also the past, present and future contributions of peasants and other people working in rural areas in all regions of the world to development and to conserving and improving biodiversity, which constitute the basis of food and agricultural production throughout the world, and their contribution in ensuring the right to adequate food and food security which are fundamental to attaining the internationally agreed development goals, including the 2030 Agenda for Sustainable Development,

Concerned that peasants and other people working in rural areas suffer disproportionately from poverty, hunger and malnutrition,

Concerned also that peasants and other people working in rural areas suffer from the burdens caused by environmental degradation and climate change,

Concerned further about peasants ageing around the world and youth increasingly migrating to urban areas and turning their backs on agriculture owing to the lack of incentives and the drudgery of rural life, and recognizing the need to improve the economic diversification of rural areas and the creation of non-farm opportunities, especially for rural youth,

Alarmed by the increasing number of peasants and other people working in rural areas forcibly evicted or displaced every year,

Alarmed also by the high incidence of suicide of peasants in several countries,

Stressing that peasant women and other rural women play a significant role in the economic survival of their families and in contributing to the rural and national economy, including through their work in the non-monetized sectors of the economy, but are often denied tenure and ownership of land, equal access to land, productive resources, financial services, information, employment or social protection, and are often victims of violence and discrimination in a variety of forms and manifestations,

Stressing also the importance of promoting and protecting the rights of the child in rural areas, including through the eradication of poverty, hunger and malnutrition, the promotion of quality education and health, protection from exposure to chemicals and wastes, and the elimination of child labour, in accordance with relevant human rights obligations,

Stressing further that several factors make it difficult for peasants and other people working in rural areas, including small-scale fishers and fish workers, pastoralists, foresters and other local communities to make their voices heard, to defend their human rights and tenure rights, and to secure the sustainable use of the natural resources on which they depend,

Recognizing that access to land, water, seeds and other natural resources is an increasing challenge for rural people, and stressing the importance of improving access to productive resources and investment in appropriate rural development,

Convinced that peasants and other people working in rural areas should be supported in their efforts to promote and undertake sustainable practices of agricultural production that support and are in harmony with nature, also referred to as Mother Earth in a number of countries and regions, including by respecting the biological and natural ability of ecosystems to adapt and regenerate through natural processes and cycles,

Considering the hazardous and exploitative conditions that exist in many parts of the world under which many peasants and other people working in rural areas have to work, often denied the opportunity to exercise their fundamental rights at work, and lacking living wages and social protection,

Concerned that individuals, groups and institutions that promote and protect the human rights of those working on land and natural resources issues face a high risk of being subject to different forms of intimidation and of violations of their physical integrity,

Noting that peasants and other people working in rural areas often face difficulties in gaining access to courts, police officers, prosecutors and lawyers to the extent that they are unable to seek immediate redress or protection from violence, abuse and exploitation,

Concerned about speculation on food products, the increasing concentration and unbalanced distribution of food systems and the uneven power relations along the value chains, which impair the enjoyment of human rights,

Reaffirming that the right to development is an inalienable human right by virtue of which every human person and all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development, in which all human rights and fundamental freedoms can be fully realized,

Recalling the right of peoples to exercise, subject to the relevant provisions of both International Covenants on Human Rights, full and complete sovereignty over all their natural wealth and resources,

Recognizing that the concept of food sovereignty has been used in many States and regions to designate the right to define their food and agriculture systems and the right to healthy and culturally appropriate food produced through ecologically sound and sustainable methods that respect human rights,

Realizing that the individual, having duties to other individuals and to the community to which he or she belongs, is under a responsibility to strive for the promotion and observance of the rights recognized in the present Declaration and in national law,

Reaffirming the importance of respecting the diversity of cultures and of promoting tolerance, dialogue and cooperation,

Recalling the extensive body of conventions and recommendations of the International Labour Organization on labour protection and decent work,

Recalling also the Convention on Biological Diversity and the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity,

Recalling further the extensive work of the Food and Agriculture Organization of the United Nations and the Committee on World Food Security on the right to food, tenure rights, access to natural resources and other rights of peasants, in particular the International Treaty on Plant Genetic Resources for Food and Agriculture, and the Organization's Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security, the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication and the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security,

Recalling the outcome of the World Conference on Agrarian Reform and Rural Development and the Peasants Charter adopted thereat, in which the need for the formulation of appropriate national strategies for agrarian reform and rural development, and their integration with overall national development strategies, was emphasized,

Reaffirming that the present Declaration and relevant international agreements shall be mutually supportive with a view to enhancing the protection of human rights,

Determined to take new steps forward in the commitment of the international community with a view to achieving substantial progress in human rights endeavours by an increased and sustained effort of international cooperation and solidarity,

Convinced of the need for greater protection of the human rights of peasants and other people working in rural areas, and for a coherent interpretation and application of existing international human rights norms and standards in this matter,

Solemnly adopts the following declaration on the rights of peasants and other people working in rural areas:

Article 1

1. For the purposes of the present Declaration, a peasant is any person who engages or who seeks to engage alone, or in association with others or as a community, in small-scale agricultural production for subsistence and/or for the market, and who relies significantly, though not necessarily exclusively, on family or household labour and other non-monetized ways of organizing labour, and who has a special dependency on and attachment to the land.

2. The present Declaration applies to any person engaged in artisanal or small-scale agriculture, crop planting, livestock raising, pastoralism, fishing, forestry, hunting or gathering, and handicrafts related to agriculture or a related occupation in a rural area. It also applies to dependent family members of peasants.

3. The present Declaration also applies to indigenous peoples and local communities working on the land, transhumant, nomadic and semi-nomadic communities, and the landless, engaged in the above-mentioned activities.

4. The present Declaration further applies to hired workers, including all migrant workers regardless of their migration status, and seasonal workers, on plantations, agricultural farms, forests and farms in aquaculture and in agro-industrial enterprises.

Article 2

1. States shall respect, protect and fulfil the rights of peasants and other people working in rural areas. They shall promptly take legislative, administrative and other appropriate steps to achieve progressively the full realization of the rights of the present Declaration that cannot be immediately guaranteed.

2. Particular attention shall be paid in the implementation of the present Declaration to the rights and special needs of peasants and other people working in rural areas, including older persons, women, youth, children and persons with disabilities, taking into account the need to address multiple forms of discrimination.

3. Without disregarding specific legislation on indigenous peoples, before adopting and implementing legislation and policies, international agreements and other decision-making processes that may affect the rights of peasants and other people working in rural areas, States shall consult and cooperate in good faith with peasants and other people working in rural areas through their own representative institutions, engaging with and seeking the support of peasants and other people working in rural areas who could be affected by decisions before those decisions are made, and responding to their contributions, taking into consideration existing power imbalances between different parties and ensuring active, free, effective, meaningful and informed participation of individuals and groups in associated decision-making processes.

4. States shall elaborate, interpret and apply relevant international agreements and standards to which they are a party in a manner consistent with their human rights obligations as applicable to peasants and other people working in rural areas.

5. States shall take all necessary measures to ensure that non-State actors that they are in a position to regulate, such as private individuals and organizations, and transnational corporations and other business enterprises, respect and strengthen the rights of peasants and other people working in rural areas.

6. States, recognizing the importance of international cooperation in support of national efforts for the realization of the purposes and objectives of the present Declaration, shall take appropriate and effective measures in this regard, between and among States and, as appropriate, in partnership with relevant international and regional organizations and civil society, in particular organizations of peasants and other people working in rural areas, among others. Such measures could include:

(a) Ensuring that relevant international cooperation, including international development programmes, is inclusive, accessible and pertinent to peasants and other people working in rural areas;

(b) Facilitating and supporting capacity-building, including through the exchange and sharing of information, experiences, training programmes and best practices;

(c) Facilitating cooperation in research and in access to scientific and technical knowledge;

(d) Providing, as appropriate, technical and economic assistance, facilitating access to and sharing of accessible technologies, and through the transfer of technologies, particularly to developing countries, on mutually agreed terms;

(e) Improving the functioning of markets at the global level and facilitating timely access to market information, including on food reserves, in order to help to limit extreme food price volatility and the attractiveness of speculation.

Article 3

1. Peasants and other people working in rural areas have the right to the full enjoyment of all human rights and fundamental freedoms recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and all other international human rights instruments, free from any kind of discrimination in the exercise of their rights based on any grounds such as origin, nationality, race, colour, descent, sex, language, culture, marital status, property, disability, age, political or other opinion, religion, birth or economic, social or other status.

2. Peasants and other people working in rural areas have the right to determine and develop priorities and strategies to exercise their right to development.

3. States shall take appropriate measures to eliminate conditions that cause or help to perpetuate discrimination, including multiple and intersecting forms of discrimination, against peasants and people working in rural areas.

Article 4

1. States shall take all appropriate measures to eliminate all forms of discrimination against peasant women and other women working in rural areas and to promote their empowerment in order to ensure, on the basis of equality between men and women, that they fully and equally enjoy all human rights and fundamental freedoms and that they are able to freely pursue, participate in and benefit from rural economic, social, political and cultural development.

2. States shall ensure that peasant women and other women working in rural areas enjoy without discrimination all the human rights and fundamental freedoms set out in the present Declaration and in other international human rights instruments, including the rights:

(a) To participate equally and effectively in the formulation and implementation of development planning at all levels;

(b) To have equal access to the highest attainable standard of physical and mental health, including adequate health-care facilities, information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To receive all types of training and education, whether formal or non-formal, including training and education relating to functional literacy, and to benefit from all community and extension services in order to increase their technical proficiency;

(e) To organize self-help groups, associations and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;

(f) To participate in all community activities;

(g) To have equal access to financial services, agricultural credit and loans, marketing facilities and appropriate technology;

(h) To equal access to, use of and management of land and natural resources, and to equal or priority treatment in land and agrarian reform and in land resettlement schemes;

(i) To decent employment, equal remuneration and social protection benefits, and to have access to income-generating activities;

(j) To be free from all forms of violence.

Article 5

1. Peasants and other people working in rural areas have the right to have access to and to use in a sustainable manner the natural resources present in their communities that are required to enjoy adequate living conditions, in accordance with article 28 of the present Declaration. They also have the right to participate in the management of these resources.

2. States shall take measures to ensure that any exploitation affecting the natural resources that peasants and other people working in rural areas traditionally hold or use is permitted based on, but not limited to:

(a) A duly conducted social and environmental impact assessment;

(b) Consultations in good faith, in accordance with article 2.3 of the present Declaration;

(c) Modalities for the fair and equitable sharing of the benefits of such exploitation that have been established on mutually agreed terms between those exploiting the natural resources and the peasants and other people working in rural areas.

Article 6

1. Peasants and other people working in rural areas have the right to life, physical and mental integrity, liberty and security of person.

2. Peasants and other people working in rural areas shall not be subjected to arbitrary arrest or detention, torture or other cruel, inhuman or degrading treatment or punishment, and shall not be held in slavery or servitude.

Article 7

1. Peasants and other people working in rural areas have the right to recognition everywhere as persons before the law.

2. States shall take appropriate measures to facilitate the freedom of movement of peasants and other people working in rural areas.

3. States shall, where required, take appropriate measures to cooperate with a view to addressing transboundary tenure issues affecting peasants and other people working in rural areas that cross international boundaries, in accordance with article 28 of the present Declaration.

Article 8

1. Peasants and other people working in rural areas have the right to freedom of thought, belief, conscience, religion, opinion, expression and peaceful assembly. They have the right to express their opinion, either orally, in writing or in print, in the form of art, or through any other media of their choice, at the local, regional, national and international levels.

2. Peasants and other people working in rural areas have the right, individually and/or collectively, in association with others or as a community, to participate in peaceful activities against violations of human rights and fundamental freedoms.

3. The exercise of the rights provided for in the present article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided for by law and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (*ordre public*), or of public health or morals.

4. States shall take all necessary measures to ensure protection by the competent authorities of everyone, individually and in association with others, against any violence, threat, retaliation, de jure or de facto discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise and defence of the rights described in the present Declaration.

Article 9

1. Peasants and other people working in rural areas have the right to form and join organizations, trade unions, cooperatives or any other organization or association of their own choosing for the protection of their interests, and to bargain collectively. Such

organizations shall be independent and voluntary in character, and remain free from all interference, coercion or repression.

2. No restrictions may be placed on the exercise of this right other than those which are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, public order (*ordre public*), the protection of public health or morals or the protection of the rights and freedoms of others.

3. States shall take appropriate measures to encourage the establishment of organizations of peasants and other people working in rural areas, including unions, cooperatives or other organizations, particularly with a view to eliminating obstacles to their establishment, growth and pursuit of lawful activities, including any legislative or administrative discrimination against such organizations and their members, and provide them with support to strengthen their position when negotiating contractual arrangements in order to ensure that conditions and prices are fair and stable and do not violate their rights to dignity and to a decent life.

Article 10

1. Peasants and other people working in rural areas have the right to active and free participation, directly and/or through their representative organizations, in the preparation and implementation of policies, programmes and projects that may affect their lives, land and livelihoods.

2. States shall promote the participation, directly and/or through their representative organizations, of peasants and other people working in rural areas in decision-making processes that may affect their lives, land and livelihoods; this includes respecting the establishment and growth of strong and independent organizations of peasants and other people working in rural areas and promoting their participation in the preparation and implementation of food safety, labour and environmental standards that may affect them.

Article 11

1. Peasants and other people working in rural areas have the right to seek, receive, develop and impart information, including information about factors that may affect the production, processing, marketing and distribution of their products.

2. States shall take appropriate measures to ensure that peasants and other people working in rural areas have access to relevant, transparent, timely and adequate information in a language and form and through means adequate to their cultural methods so as to promote their empowerment and to ensure their effective participation in decision-making in matters that may affect their lives, land and livelihoods.

3. States shall take appropriate measures to promote the access of peasants and other people working in rural areas to a fair, impartial and appropriate system of evaluation and certification of the quality of their products at the local, national and international levels, and to promote their participation in its formulation.

Article 12

1. Peasants and other people working in rural areas have the right to effective and non-discriminatory access to justice, including access to fair procedures for the resolution of disputes and to effective remedies for all infringements of their human rights. Such decisions shall give due consideration to their customs, traditions, rules and legal systems in conformity with relevant obligations under international human rights law.

2. States shall provide for non-discriminatory access, through impartial and competent judicial and administrative bodies, to timely, affordable and effective means of resolving disputes in the language of the persons concerned, and shall provide effective and prompt remedies, which may include a right of appeal, restitution, indemnity, compensation and reparation.

3. Peasants and other people working in rural areas have the right to legal assistance. States shall consider additional measures, including legal aid, to support peasants and other people working in rural areas who would otherwise not have access to administrative and judicial services.

4. States shall consider measures to strengthen relevant national institutions for the promotion and protection of all human rights, including the rights described in the present Declaration.

5. States shall provide peasants and other people working in rural areas with effective mechanisms for the prevention of and redress for any action that has the aim or effect of violating their human rights, arbitrarily dispossessing them of their land and natural resources or of depriving them of their means of subsistence and integrity, and for any form of forced sedentarization or population displacement.

Article 13

1. Peasants and other people working in rural areas have the right to work, which includes the right to choose freely the way they earn their living.

2. Children of peasants and other people working in rural areas have the right to be protected from any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to a child's health or physical, mental, spiritual, moral or social development.

3. States shall create an enabling environment with opportunities for work for peasants and other people working in rural areas and their families that provide remuneration allowing for an adequate standard of living.

4. In States facing high levels of rural poverty and in the absence of employment opportunities in other sectors, States shall take appropriate measures to establish and promote sustainable food systems that are sufficiently labour-intensive to contribute to the creation of decent employment.

5. States, taking into account the specific characteristics of peasant agriculture and small-scale fisheries, shall monitor compliance with labour legislation by allocating, where required, appropriate resources to ensuring the effective operation of labour inspectorates in rural areas.

6. No one shall be required to perform forced, bonded or compulsory labour, be subject to the risk of becoming a victim of human trafficking or be held in any other form of contemporary slavery. States shall, in consultation and cooperation with peasants and other people working in rural areas and their representative organizations, take appropriate measures to protect them from economic exploitation, child labour and all forms of contemporary slavery, such as debt bondage of women, men and children, and forced labour, including of fishers and fish workers, forest workers, or seasonal or migrant workers.

Article 14

1. Peasants and other people working in rural areas, irrespective of whether they are temporary, seasonal or migrant workers, have the rights to work in safe and healthy working conditions, to participate in the application and review of safety and health measures, to select safety and health representatives and representatives in safety and health committees, to the implementation of measures to prevent, reduce and control hazards and risks, to have access to adequate and appropriate protective clothing and equipment and to adequate information and training on occupational safety, to work free from violence and harassment, including sexual harassment, to report unsafe and unhealthy working conditions, and to remove themselves from danger resulting from their work activity when they reasonably believe that there is an imminent and serious risk to their safety or health, without being subject to any work-related retaliation for exercising such rights.

2. Peasants and other people working in rural areas have the right not to use or to be exposed to hazardous substances or toxic chemicals, including agrochemicals or agricultural or industrial pollutants.

3. States shall take appropriate measures to ensure favourable safe and healthy working conditions for peasants and other people working in rural areas, and shall in particular designate appropriate competent authorities responsible, and establish mechanisms for intersectoral coordination for the implementation of policies and enforcement of national laws and regulations on occupational safety and health in agriculture, the agro-industry and fisheries, provide for corrective measures and appropriate penalties, and establish and support adequate and appropriate systems of inspection for rural workplaces.

4. States shall take all measures necessary to ensure:

(a) The prevention of risks to health and safety derived from technologies, chemicals and agricultural practices, including through their prohibition and restriction;

(b) An appropriate national system or any other system approved by the competent authority establishing specific criteria for the importation, classification, packaging, distribution, labelling and use of chemicals used in agriculture, and for their prohibition or restriction;

(c) That those who produce, import, provide, sell, transfer, store or dispose of chemicals used in agriculture comply with national or other recognized safety and health standards, and provide adequate and appropriate information to users in the appropriate official language or languages of the country and, on request, to the competent authority;

(d) That there is a suitable system for the safe collection, recycling and disposal of chemical waste, obsolete chemicals and empty containers of chemicals so as to avoid their use for other purposes and to eliminate or minimize the risks to safety and health and to the environment;

(e) The development and implementation of educational and public awareness programmes on the health and environmental effects of chemicals commonly used in rural areas, and on alternatives to them.

Article 15

1. Peasants and other people working in rural areas have the right to adequate food and the fundamental right to be free from hunger. This includes the right to produce food and the right to adequate nutrition, which guarantee the possibility of enjoying the highest degree of physical, emotional and intellectual development.

2. States shall ensure that peasants and other people working in rural areas enjoy physical and economic access at all times to sufficient and adequate food that is produced and consumed sustainably and equitably, respecting their cultures, preserving access to food for future generations, and that ensures a physically and mentally fulfilling and dignified life for them, individually and/or collectively, responding to their needs.

3. States shall take appropriate measures to combat malnutrition in rural children, including within the framework of primary health care through, inter alia, the application of readily available technology and the provision of adequate nutritious food and by ensuring that women have adequate nutrition during pregnancy and lactation. States shall also ensure that all segments of society, in particular parents and children, are informed, have access to nutritional education and are supported in the use of basic knowledge on child nutrition and the advantages of breastfeeding.

4. Peasants and other people working in rural areas have the right to determine their own food and agriculture systems, recognized by many States and regions as the right to food sovereignty. This includes the right to participate in decision-making processes on food and agriculture policy and the right to healthy and adequate food produced through ecologically sound and sustainable methods that respect their cultures.

5. States shall formulate, in partnership with peasants and other people working in rural areas, public policies at the local, national, regional and international levels to advance and protect the right to adequate food, food security and food sovereignty and sustainable and equitable food systems that promote and protect the rights contained in the present Declaration. States shall establish mechanisms to ensure the coherence of their agricultural, economic, social, cultural and development policies with the realization of the rights contained in the present Declaration.

Article 16

1. Peasants and other people working in rural areas have the right to an adequate standard of living for themselves and their families, and to facilitated access to the means of production necessary to achieve them, including production tools, technical assistance, credit, insurance and other financial services. They also have the right to engage freely, individually and/or collectively, in association with others or as a community, in traditional ways of farming, fishing, livestock rearing and forestry and to develop community-based commercialization systems.

2. States shall take appropriate measures to favour the access of peasants and other people working in rural areas to the means of transportation, and processing, drying and storage facilities necessary for selling their products on local, national and regional markets at prices that guarantee them a decent income and livelihood.

3. States shall take appropriate measures to strengthen and support local, national and regional markets in ways that facilitate, and ensure that peasants and other people working in rural areas have, full and equitable access and participation in these markets to sell their products at prices that allow them and their families to attain an adequate standard of living.

4. States shall take all appropriate measures to ensure that their rural development, agricultural, environmental, trade and investment policies and programmes contribute effectively to protecting and strengthening local livelihood options and to the transition to sustainable modes of agricultural production. States shall stimulate sustainable production, including agroecological and organic production, whenever possible, and facilitate direct farmer-to-consumer sales.

5. States shall take appropriate measures to strengthen the resilience of peasants and other people working in rural areas against natural disasters and other severe disruptions, such as market failures.

6. States shall take appropriate measures to ensure fair wages and equal remuneration for work of equal value, without distinction of any kind.

Article 17

1. Peasants and other people living in rural areas have the right to land, individually and/or collectively, in accordance with article 28 of the present Declaration, including the right to have access to, sustainably use and manage land and the water bodies, coastal seas, fisheries, pastures and forests therein, to achieve an adequate standard of living, to have a place to live in security, peace and dignity and to develop their cultures.

2. States shall take appropriate measures to remove and prohibit all forms of discrimination relating to the right to land, including those resulting from change of marital status, lack of legal capacity or lack of access to economic resources.

3. States shall take appropriate measures to provide legal recognition for land tenure rights, including customary land tenure rights not currently protected by law, recognizing the existence of different models and systems. States shall protect legitimate tenure, and ensure that peasants and other people working in rural areas are not arbitrarily or unlawfully evicted and that their rights are not otherwise extinguished or infringed. States shall recognize and protect the natural commons and their related systems of collective use and management.

4. Peasants and other people working in rural areas have the right to be protected against arbitrary and unlawful displacement from their land or place of habitual residence, or from other natural resources used in their activities and necessary for the enjoyment of adequate living conditions. States shall incorporate protections against displacement into domestic legislation that are consistent with international human rights and humanitarian law. States shall prohibit arbitrary and unlawful forced eviction, the destruction of agricultural areas and the confiscation or expropriation of land and other natural resources, including as a punitive measure or as a means or method of war.

5. Peasants and other people working in rural areas who have been arbitrarily or unlawfully deprived of their lands have the right, individually and/or collectively, in association with others or as a community, to return to their land of which they were arbitrarily or unlawfully deprived, including in cases of natural disasters and/or armed conflict and to have restored their access to the natural resources used in their activities and necessary for the enjoyment of adequate living conditions, whenever possible, or to receive just, fair and lawful compensation when their return is not possible.

6. Where appropriate, States shall take appropriate measures to carry out agrarian reforms in order to facilitate broad and equitable access to land and other natural resources necessary to ensure that peasants and other people working in rural areas enjoy adequate living conditions, and to limit excessive concentration and control of land, taking into account its social function. Landless peasants, young people, small-scale fishers and other rural workers should be given priority in the allocation of public lands, fisheries and forests.

7. States shall take measures aimed at the conservation and sustainable use of land and other natural resources used in their production, including, among others, through agroecology, and ensure the conditions for the regeneration of biological and other natural capacities and cycles.

Article 18

1. Peasants and other people working in rural areas have the right to the conservation and protection of the environment and the productive capacity of their lands, and of the resources that they use and manage.

2. States shall take appropriate measures to ensure that peasants and other people working in rural areas enjoy, without discrimination, a safe, clean and healthy environment.

3. States shall comply with their respective international obligations to combat climate change. Peasants and other people working in rural areas have the right to contribute to the design and implementation of national and local climate change adaptation and mitigation policies, including through the use of practices and traditional knowledge.

4. States shall take effective measures to ensure that no hazardous material, substance or waste is stored or disposed of on the land of peasants and other people working in rural areas, and shall cooperate to address the threats to the enjoyment of their rights that result from transboundary environmental harm.

5. States shall protect peasants and other people working in rural areas against abuses by non-State actors, including by enforcing environmental laws that contribute, directly or indirectly, to the protection of the rights of peasants or other people working in rural areas.

Article 19

1. Peasants and other people working in rural areas have the right to seeds, in accordance with article 28 of the present Declaration, including:

(a) The right to the protection of traditional knowledge relevant to plant genetic resources for food and agriculture;

(b) The right to equitably participate in sharing the benefits arising from the utilization of plant genetic resources for food and agriculture;

(c) The right to participate in the making of decisions on matters relating to the conservation and sustainable use of plant genetic resources for food and agriculture;

(d) The right to save, use, exchange and sell their farm-saved seed or propagating material.

2. Peasants and other people working in rural areas have the right to maintain, control, protect and develop their own seeds and traditional knowledge.

3. States shall take measures to respect, protect and fulfil the right to seeds of peasants and other people working in rural areas.

4. States shall ensure that seeds of sufficient quality and quantity are available to peasants at the most suitable time for planting, and at an affordable price.

5. States shall recognize the rights of peasants to rely either on their own seeds or on other locally available seeds of their choice, and to decide on the crops and species that they wish to grow.

6. States shall take appropriate measures to support peasant seed systems, and promote the use of peasant seeds and agrobiodiversity.

7. States shall take appropriate measures to ensure that agricultural research and development integrates the needs of peasants and other people working in rural areas, and to ensure their active participation in the definition of priorities and the undertaking of research and development, taking into account their experience, and increase investment in research and the development of orphan crops and seeds that respond to the needs of peasants and other people working in rural areas.

8. States shall ensure that seed policies, plant variety protection and other intellectual property laws, certification schemes and seed marketing laws respect and take into account the rights, needs and realities of peasants and other people working in rural areas.

Article 20

1. States shall take appropriate measures, in accordance with their relevant international obligations, to prevent the depletion and ensure the conservation and sustainable use of biodiversity in order to promote and protect the full enjoyment of the rights of peasants and other people working in rural areas.

2. States shall take appropriate measures to promote and protect the traditional knowledge, innovation and practices of peasants and other people working in rural areas, including traditional agrarian, pastoral, forestry, fisheries, livestock and agroecological systems relevant to the conservation and sustainable use of biological diversity.

3. States shall prevent risks of violation of the rights of peasants and other people working in rural areas arising from the development, handling, transport, use, transfer or release of any living modified organisms.

Article 21

1. Peasants and other people working in rural areas have the human rights to safe and clean drinking water and to sanitation, which are essential for the full enjoyment of life and all human rights and human dignity. These rights include water supply systems and sanitation facilities that are of good quality, affordable and physically accessible, and non-discriminatory and acceptable in cultural and gender terms.

2. Peasants and other people working in rural areas have the right to water for personal and domestic use, farming, fishing and livestock keeping and to securing other water-related livelihoods, ensuring the conservation, restoration and sustainable use of water. They have the right to equitable access to water and water management systems, and to be free from arbitrary disconnections or the contamination of water supplies.

3. States shall respect, protect and ensure access to water, including to customary and community-based water management systems, on a non-discriminat-

basis, and shall take measures to guarantee affordable water for personal, domestic and productive uses, and improved sanitation, in particular for rural women and girls, and persons belonging to disadvantaged or marginalized groups, such as nomadic pastoralists, workers on plantations, all migrants regardless of their migration status, and persons living in irregular or informal settlements. States shall promote appropriate and affordable technologies, including irrigation technology, technologies for the reuse of treated wastewater, and for water collection and storage.

4. States shall protect and restore water-related ecosystems, including mountains, forests, wetlands, rivers, aquifers and lakes, from overuse and contamination by harmful substances, in particular by industrial effluent and concentrated minerals and chemicals that result in slow and fast poisoning.

5. States shall prevent third parties from impairing the enjoyment of the right to water of peasants and other people working in rural areas. States shall prioritize water for human needs before other uses, promoting its conservation, restoration and sustainable use.

Article 22

1. Peasants and other people working in rural areas have the right to social security, including social insurance.

2. States shall, according to their national circumstances, take appropriate steps to promote the enjoyment of the right to social security of all migrant workers in rural areas.

3. States shall recognize the rights of peasants and other people working in rural areas to social security, including social insurance, and, in accordance with national circumstances, should establish or maintain their social protection floors comprising basic social security guarantees. The guarantees should ensure at a minimum that, over the life cycle, all in need have access to essential health care and to basic income security, which together secure effective access to goods and services defined as necessary at the national level.

4. Basic social security guarantees should be established by law. Impartial, transparent, effective, accessible and affordable grievance and appeal procedures should also be specified. Systems should be in place to enhance compliance with national legal frameworks.

Article 23

1. Peasants and other people working in rural areas have the right to the enjoyment of the highest attainable standard of physical and mental health. They also have the right to have access, without any discrimination, to all social and health services.

2. Peasants and other people working in rural areas have the right to use and protect their traditional medicines and to maintain their health practices, including access to and conservation of their plants, animals and minerals for medicinal use.

3. States shall guarantee access to health facilities, goods and services in rural areas on a non-discriminatory basis, especially for groups in vulnerable situations, access to essential medicines, immunization against major infectious diseases, reproductive health, information concerning the main health problems affecting the community, including methods of preventing and controlling them, maternal and child health care, as well as training for health personnel, including education on health and human rights.

Article 24

1. Peasants and other people working in rural areas have the right to adequate housing. They have the right to sustain a secure home and community in which to live in peace and dignity, and the right to non-discrimination in this context.

2. Peasants and other people working in rural areas have the right to be protected against forced eviction from their home, harassment and other threats.

3. States shall not, arbitrarily or unlawfully, either temporarily or permanently, remove peasants or other people working in rural areas against their will from the homes or land that they occupy without providing or affording access to appropriate forms of legal or other protection. When eviction is unavoidable, the State must provide or ensure fair and just compensation for any material or other losses.

Article 25

1. Peasants and other people working in rural areas have the right to adequate training suited to the specific agroecological, sociocultural and economic environments in which they find themselves. Issues covered by training programmes should include, but not be limited to, improving productivity, marketing, and the ability to cope with pests, pathogens, system shocks, the effects of chemicals, climate change and weather-related events.

2. All children of peasants and other people working in rural areas have the right to education in accordance with their culture, and with all the rights contained in human rights instruments.

3. States shall encourage equitable and participatory farmer-scientist partnerships, such as farmer field schools, participatory plant breeding, and plant and animal health clinics to respond more appropriately to the immediate and emerging challenges that peasants and other people working in rural areas face.

4. States shall invest in providing training, market information and advisory services at the farm level.

Article 26

1. Peasants and other people working in rural areas have the right to enjoy their own culture and to pursue freely their cultural development, without interference or any form of discrimination. They also have the right to maintain, express, control, protect and develop their traditional and local knowledge, such as ways of life, methods of production or technology, or customs and tradition. No one may invoke cultural rights to infringe upon the human rights guaranteed by international law, nor to limit their scope.

2. Peasants and other people working in rural areas have the right, individually and/or collectively, in association with others or as a community, to express their local customs, languages, culture, religions, literature and art, in conformity with international human rights standards.

3. States shall respect, and take measures to recognize and protect, the rights of peasants and other people working in rural areas relating to their traditional knowledge, and eliminate discrimination against the traditional knowledge, practices and technologies of peasants and other people working in rural areas.

Article 27

1. The specialized agencies, funds and programmes of the United Nations system, and other intergovernmental organizations, including international and regional financial organizations, shall contribute to the full realization of the present Declaration, including through the mobilization of, inter alia, development assistance and cooperation. Ways and means of ensuring the participation of peasants and other people working in rural areas on issues affecting them shall be considered.

2. The United Nations and its specialized agencies, funds and programmes, and other intergovernmental organizations, including international and regional financial organizations, shall promote respect for and the full application of the present Declaration, and follow up on its effectiveness.

Article 28

1. Nothing in the present Declaration may be construed as diminishing, impairing or nullifying the rights that peasants and other people working in rural areas and indigenous peoples currently have or may acquire in the future.

2. The human rights and fundamental freedoms of all, without discrimination of any kind, shall be respected in the exercise of the rights enunciated in the present Declaration. The exercise of the rights set forth in the present Declaration shall be subject only to such limitations as are determined by law and that are compliant with international human rights obligations. Any such limitations shall be non-discriminatory and necessary solely for the purpose of securing due recognition and respect for the rights and freedoms of others, and for meeting the just and most compelling requirements of a democratic society.